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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,663	09/28/2001	Anthony J. Baerlocher	0112300-455	5250

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EXAMINER

RADA, ALEX P

ART UNIT	PAPER NUMBER
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3714

DATE MAILED: 02/06/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/966,663

Applicant(s)

BAERLOCHER ET AL.

Examiner

Alex P. Rada

Art Unit

3714

All participants (applicant, applicant's representative, PTO personnel):

(1) Alex P. Rada.

(3) Chris Hermanson Reg. No. 48,244.

(2) Adam H. Masia Reg. No. 35,602.

(4) Jessica J. Harrison.

Date of Interview: 03 February 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____.

Claim(s) discussed: 1.

Identification of prior art discussed: Demar '660.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's provided proposed amended claims. The examiner explained that given the claims there broadest reasonable interpretation the Demar reference teaches the particulars of applicant's claimed invention, which were noted in column 35, line 5 - column 36, line 37. Applicant's agreed on inserting the word "guaranteed" after the phrase in all of the independent claims, "independently randomly determined", which would be allowable pending further searching. Applicant also agreed to include some structure to all of the claims. Arguments presented would have to be submitted in written form and further searching and consideration would have to be done.

FOR INTERVIEW PURPOSES ONLY

PROPOSED AMENDED CLAIMS FOR U.S. PATENT APPLICATION NO. 09/966,663

Claim 1 (currently amended): A gaming device comprising:

a processor;

a plurality of selections;

a plurality of awards associated with said selections; and

at least one supplementing award associated with at least one of said selections, said supplementing award adapted to be provided to a player by the processor when the player picks the selection associated with the supplementing award, each supplementing award including an award which is automatically provided to the player and at least one additional award generation which automatically provides an independent independently randomly determined additional award to the player for said supplementing award. ^{guaranteed}

Claim 2 (original): The gaming device of Claim 1, wherein the selections are player selectable.

Claim 3 (original): The gaming device of Claim 1, which includes at least one database of said awards and said supplementing awards accessible by the processor.

Claim 4 (original): The gaming device of Claim 1, which includes a plurality of databases accessible by the processor, wherein each database has a number of awards and at least one supplementing award.

Claim 5 (original): The gaming device of Claim 1, wherein each award generation provides a number of game credits or a game credit multiplier.

Claim 6 (original): The gaming device of Claim 1, wherein an award generation includes providing a randomly generated award, a predetermined award or a number of free games.

Claim 7 (original): The gaming device of Claim 1, wherein an award generation includes an additional selection.

Claim 8 (original): The gaming device of Claim 7, wherein said additional selection is one of the plurality of selections not previously selected.

Claim 9 (original): The gaming device of Claim 1, wherein said award generation yields another supplementing award.

Claim 10 (original): The gaming device of Claim 9, wherein said another supplementing award is associated with one of the plurality of selections not previously selected.

Claim 11 (original): The gaming device of Claim 1, wherein a plurality of supplementing awards are displayed on an electromechanical device controlled by the processor.

Claim 12 (original): The gaming device of Claim 1, which includes a supplementing award limit defining a maximum number of supplementing awards associated with said selections.

Claim 13 (currently amended): A gaming device comprising:

a processor;

a plurality of selections;

a plurality of awards associated with said selections; and

at least one supplementing award associated with said selections and adapted to be provided to a player by the processor, said supplementing award including an award which is automatically provided to the player and a random award generation which automatically provides an ~~independent~~ independently randomly determined additional award to the player for said supplementing award.

Claim 14 (original): The gaming device of Claim 13, wherein the processor randomly generates a supplementing award from among the plurality of awards.

Claim 15 (original): The gaming device of Claim 13, wherein the selections are player selectable.

Claim 16 (original): The gaming device of Claim 13, wherein said award associated with said supplementing award is a game credit or a game credit multiplier.

Claim 17 (original): The gaming device of Claim 13, wherein said random award generation yields an award, a supplementing award, an additional pick of a selection or a free game.

Claim 18 (original): The gaming device of Claim 13, which includes storage means accessible by the processor for storing a plurality of groups of awards and supplementing awards.

Claim 19 (currently amended): A gaming device comprising:

a processor;

a plurality of awards; and

a plurality of supplementing awards adapted to be provided to a player by the processor, each of said supplementing awards including one of the awards which is automatically provided to the player and an award generation that chooses one of the plurality of awards which is an independent independently randomly determined additional award automatically provided to the player for said supplementing award.

Claim 20 (original): The gaming device of Claim 19, wherein the award generation chooses from remaining unselected awards of the plurality of awards.

Claim 21 (currently amended): A gaming device comprising:

a display device; and

a processor adapted to communicate with said display device; said display device and said processor adapted to:

- (a) enable a player to pick at least one selection from a plurality of selections;
- (b) generate a supplementing award associated with one of said selections;
- (c) automatically provide an award to the player associated with said supplementing award if the player picks the selection associated with the supplementing award; and
- (d) provide an award generation associated with said supplementing award if the player picks the selection associated with the supplementing award, which automatically provides an ~~independent~~ independently randomly determined additional award to the player for said supplementing award.

Claim 22 (original): The gaming device of Claim 21, wherein said display device and said processor are adapted to provide at least one additional supplementing award as an outcome of the award generation.

Claim 23 (original): The gaming device of Claim 21, wherein said display device and said processor are adapted to provide at least one additional selection as an outcome of the award generation.

Claim 24 (original): The gaming device of Claim 21, wherein said award generation is a random generation.

Claim 25 (currently amended): A gaming device comprising:

a display device; and

a processor adapted to communicate with said display device; said display device and said processor adapted to:

- (a) enable a player to pick at least one selection from a plurality of selections;
- (b) generate a supplementing award associated with one of said selections;
- (c) automatically provide an award to the player associated with said supplementing award if the player picks the selection associated with the supplementing award; and
- (d) provide an award generation associated with said supplementing award if the player picks the selection associated with the supplementing award, wherein said award generation automatically yields an ~~independent~~ independently randomly determined additional award provided to the player and another supplementing award which automatically provides a further ~~independent~~ independently randomly determined award to the player for said supplementing award.

Claim 26 (currently amended): A gaming device comprising:

a processor;

a plurality of selections;

a plurality of awards associated with said selections;

at least one supplementing award associated with said selections, wherein the supplementing award includes an award which is automatically provided to the player and at least one additional award generation which automatically provides an independent additional award to a player;

a probability of selecting an award associated with each of the awards; and

a processor operable to enable a player to pick one of the selections, randomly associate one of the awards with the picked selection based on the probabilities, automatically provide an award and at least one additional award generation that provides an independent independently randomly determined additional award to the player when the supplementing award is associated with the picked selection and automatically provides one of the awards to the player when the supplementing award is not associated with the picked selection.

Claim 27 (previously presented): The gaming device of Claim 26, wherein the probabilities associated with at least two of the awards are different.

Claim 28 (previously presented): The gaming device of Claim 26, wherein the probabilities associated with each of the awards is the same.

Claim 29 (previously presented): The gaming device of Claim 26, wherein the probability associated with the supplementing award is less than the probabilities associated with at least one of the awards.

Claim 30 (previously presented): The gaming device of Claim 26, wherein the probability associated with the supplementing award is greater than the probabilities associated with at least one of the awards.

Claim 31 (previously presented): The gaming device of Claim 26, wherein the selections are player selectable.

Claim 32 (previously presented): The gaming device of Claim 26, which includes at least one database of said awards and said supplementing awards accessible by the processor.

Claim 33 (previously presented): The gaming device of Claim 26, which includes a plurality of databases accessible by the processor, wherein each database has a number of awards and at least one supplementing award.

Claim 34 (previously presented): The gaming device of Claim 26, wherein each award generation provides a number of game credits or a game credit multiplier.

Claim 35 (previously presented): The gaming device of Claim 26, wherein an award generation includes providing a randomly generated award, a predetermined award or a number of free games.

Claim 36 (previously presented): The gaming device of Claim 26, wherein an award generation includes an additional selection.

Claim 37 (previously presented): The gaming device of Claim 36, wherein said additional selection is one of the plurality of selections not previously selected.

Claim 38 (previously presented): The gaming device of Claim 36, wherein said award generation yields another supplementing award.

Claim 39 (currently amended): The gaming device of Claim ~~39~~ 38, wherein said another supplementing award is associated with one of the plurality of selections not previously selected.

Claim 40 (previously presented): The gaming device of Claim 36, wherein a plurality of supplementing awards are displayed on an electromechanical device controlled by the processor.

Claim 41 (previously presented): The gaming device of Claim 36, which includes a supplementing award limit defining a maximum number of supplementing awards associated with said selections.